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11 Attorneys for Defendant HILTI, INC.
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13 In the United States District Court
14 In and for the Northern District of California
15

16
17 DEBRA RODRIGUEZ,

Civ. No. C 07 2985 MJJ

18 Plaintiff,

19 -v-

20 HILTI, INC.,

STIPULATION TO SUBMIT
MATTER TO BINDING
ARBITRATION AND STAY
ACTION PENDING CONCLUSION
OF ARBITRATION, AND
ORDER THEREON

21 Defendant.
22

23 IT IS HEREBY STIPULATED by and between the parties to
24 the above-entitled case, by and through their respective
25 counsel, as follows:

26 IT IS HEREBY STIPULATED that this Court shall order the
27 above-entitled case, Debra Rodriguez v. Hilti, Inc., Case No.

28

1 C 07 2985 MJJ to binding arbitration.

2 IT IS FURTHER STIPULATED that the Hon. Demitrios P.
3 Agretelis (Ret.) shall be appointed as the neutral arbitrator
4 in the binding arbitration of this matter, and shall be the
5 only arbitrator.

6 IT IS FURTHER STIPULATED that the arbitration
7 proceedings shall be conducted in San Francisco, California.

8 IT IS FURTHER STIPULATED that the prevailing JAMS
9 arbitration rules shall be applicable to the binding
10 arbitration of this matter with the following exception,
11 i.e., that instead of the JAMS arbitration rules as to
12 discovery applying to this case, discovery in this case shall
13 instead be conducted in accordance with, and governed by, all
14 rules governing discovery set forth in the Federal Rules of
15 Civil Procedure and Local Rules for the Northern District of
16 California. Additionally, each side shall serve initial
17 disclosures on the other side, in accordance with the
18 procedure set forth in the Federal Rules of Civil Procedure
19 and the Local Rules of the Northern District of California.
20 The appointed arbitrator shall have the authority and power
21 to issue subpoenas for the attendance of witnesses or the
22 production of documents in connection with discovery
23 proceedings and/or at any trial of this matter. The
24 appointed arbitrator shall oversee discovery, and shall
25 resolve all disputes concerning discovery, in accordance with
26 the rules governing discovery set forth in the Federal Rules
27 of Civil Procedure and Local Rules for the Northern District
28

1 of California.

2 IT IS FURTHER STIPULATED that this action shall be
3 stayed pending the conclusion of the binding arbitration.

4 IT IS ALSO STIPULATED that Plaintiff's arbitration fees
5 and costs shall be paid by defendant Hilti, Inc.

6 SO STIPULATED.

7
8 Dated: 8/31/07



BRIAN T. McMILLIAN
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendant
HILTI, INC.

12
13 Dated: 8/31/07



LOUIS A. HIGHMAN
HIGHMAN, HIGHMAN & BALL
Attorneys for Plaintiff
DEBRA RODRIGUEZ

17 ORDER

18 Good cause appearing therefor,

19 IT IS HEREBY ORDERED THAT the above-entitled case, Debra
20 Rodriguez v. Hilti, Inc., Case No. C 07 2985 MJJ is referred
21 to binding arbitration, as per the terms and conditions set
22 forth in the stipulation of the parties pertaining thereto.

23 DATED: September 4, 2007

24 HON. MARTIN J. JENKINS

